

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 23-md-03084-CRB

This Document Relates to:

ALL CASES

**AFFIDAVIT OF TIFFANY R. ELLIS IN
SUPPORT OF PLAINTIFFS' LIST OF
DISPUTED ENTRIES FOR SPECIAL
MASTER REVIEW**

Judge: Honorable Barbara S. Jones

1 I, Tiffany R. Ellis, hereby declare as follows:

2 1. I am a partner of Peiffer Wolf Care Kane Conway & Wise, an attorney licensed in
3 the States of Michigan and Illinois and duly admitted to practice before this Court, representing
4 Plaintiffs in the above caption action.

5 2. I submit this declaration in support of Plaintiffs' List of Disputed Entries for
6 Special Master Review on March 25, 2025.

7 3. Plaintiffs incorporate the Discovery Letter Brief Regarding Disputed Entries for
8 Special Master Review filed by All Plaintiffs on March 4, 2025. *See* ECF No. 2434. Plaintiffs
9 incorporate the brief to support the specific reasons each entry on the List of Disputed Entries
10 was challenged. The Brief included the general background of the privilege dispute process to
11 date, the legal standard for Plaintiffs raising challenges to Defendants' privilege log entries, and a
12 general argument for the challenges Plaintiffs raised.

13 4. The List of Disputed Entries for Special Master Review Plaintiffs provided on
14 March 25, 2025 contained entries still in dispute for custodian Roger Kaiser.

15 5. The List of Disputed Entries for Special Master Review Plaintiffs provided on
16 March 25, 2025 did not contain any entries for the custodians that overlapped with custodians
17 already submitted to the Special Master for review.

18 **Roger Kaiser**

19 6. Defendants included approximately 6,511 entries for Roger Kaiser across its
20 Tranche 1, Tranche 2, Tranche 3, and Tranche 4 privilege logs.

21 7. Plaintiffs originally challenged approximately 4,165 of these 6,511 entries.

22 8. As of January 31, 2025¹, Defendants withdrew their claim of privilege to 1,166
23 entries in full and 411 entries in part.

24 9. On March 10, 2025, Defendants provided Plaintiffs with a revised privilege log
25 after Defendants re-reviewed all entries in dispute. Defendants withdrew their claim of privilege
26 to 2,438 entries in full and 1,007 entries in part.

27 _____
28 ¹ Defendants provided Plaintiffs a revised privilege log on January 31, 2025. This was the last revised privilege log
Defendants provided before they started providing revised privilege logs in accordance with the Master Order No. 2.
See ECF No. 2357.

1 10. Defendants provided Plaintiffs with its latest revised Privilege Log on March 26,
2 2025. In total, to date, Defendants have withdrawn or will withdraw their claim of privilege to
3 approximately 2,782 entries in full and 1,105 entries in part. These entries do include entries
4 included on Defendants' post January 10, 2025 privilege logs.

5 11. On March 18, 2025, Plaintiffs provided the Special Master and Defendants with a
6 list of 429 entries still in dispute for Roger Kaiser following a review of Uber's revised privilege
7 log that included updated or additional information provided by Uber, documents produced with
8 redactions, or lessons learned from Judge Cisneros' privilege orders and Defendants' March 14,
9 2025 privilege log.

10 12. On March 25, 2025, Defendants provided written response to Plaintiffs' list and
11 the parties met and conferred. On that day, Defendants withdrew their claim to an additional 232
12 entries and would produce 57 additional entries with redactions or reduced redactions.

13 13. On March 25, 2025 Plaintiffs provided the Special Master and Defendants with a
14 list of 192 entries that remain in dispute for Roger Kaiser. The list did include 44 entries that
15 Defendants stated they would produce redacted or less redacted versions of entries.

16 14. On March 26, 2025, Defendants removed their privilege claim to an additional 49
17 entries in full and 6 entries in part.

18 15. On March 27, 2025, Defendants informed Plaintiffs that they intend to produce
19 the remaining production of redacted documents or documents with reduced redactions next
20 week.

21 16. On March 28, 2025 Plaintiffs provided the Special Master and Defendants an
22 updated list of 136 entries still in dispute including 44 entries not yet produced with redactions or
23 reduced redactions.

24
25 Executed this 28th day of March, 2025 in Detroit, Michigan.

26
27 /s/ Tiffany R. Ellis
28 Tiffany R. Ellis